

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY INSTALLING A COMPLETE STREET LIGHTING SYSTEM; TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-43 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COSTS AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS FOR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada deems it expedient and for the best interests of said City to improve a portion of North Main Street hereinafter more particularly described by installing thereon a complete street lighting system; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-43 for the purpose of making said improvements and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises, and property specially benefitted by such improvements and included within said district; and

WHEREAS, there is not included within said district any public or other property against which a valid special assessment cannot be levied by said City; and

WHEREAS, in no case does the estimated amount of any special assessment upon any lot or premises for said improvements exceed one hundred percent (100%) of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation; and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that no portion of said cost and expense be borne by the City from its general funds; and

WHEREAS, said Board considers it necessary, desirable, and for the best interests of the City, to take the steps provided by law for the organization of and assessment district and the construction therein of said improvements; and

WHEREAS, said Board, by an amended resolution duly adopted and approved on the 21st day of January, 1959, ordered the Director of Public Works to make estimates of the expense thereof and plats, diagrams and plans of the work and of the locality to be improved, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination; and

WHEREAS, said estimates, plats, diagrams, and plans were so filed on the 29th day of January, 1959.

NOW, THEREFORE, the Board of Commissioners of the City of Las Vegas does ordain as follows:

SECTION 1. That the Board of Commissioners of the City of Las Vegas, County of Clark and State of Nevada, does hereby declare its determination to make certain public improvements by installing along that certain street hereinafter described, a complete street lighting system, to create a special assessment district therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefitted by such improvements and included within said district.

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SECTION 2. That the Board proposes to improve said street by constructing thereon street lighting facilities which include concrete bases, aluminum standards, mercury vapor luminaires, and underground and single overhead wire and series lighting system, together with such appurtenances as may be required, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

SECTION 3. That the street which the Board proposes to so have improved, is the following:

NORTH MAIN STREET from the Northerly line of Bonanza Road to the north city limits of the City of Las Vegas, Nevada.

SECTION 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-43, and it shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon such street.

SECTION 5. That the Acting City Clerk shall keep the plats, diagrams, and plans of the work, and locality to be improved, together with the estimates of the expense thereof, on file in his office for public inspection and examination.

SECTION 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Wednesday, the 4th day of March 1959, at the hour of 8:00 o'clock P.M., PST, to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

SECTION 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams and plans with the City Clerk for examination of the proposed improvement or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvement. Said notice shall be given by publication once a week for two successive weeks in the Las Vegas Review Journal a daily newspaper published in said City of Las Vegas, by posting said notices in at least three public places near the site of said proposed work, and by mailing said notice, postage prepaid, as first class mail, at least fifteen days prior to such hearing, to the last known address of each last known owner of land within the district whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the local property assessment rolls for general (ad valorem) taxes of the County of Clark, wherein said property is located. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

SECTION 8. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance are hereby repealed.

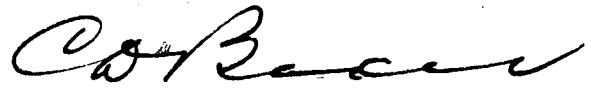
SECTION 9. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability

and invalidity of any section, sentence, clause or part of this ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

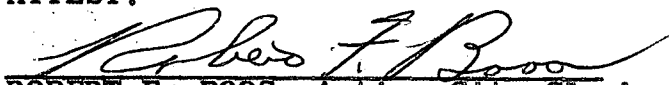
SECTION 10. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve the said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 11. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption in the Las Vegas Review Journal, a daily newspaper published in said City and that ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 4th day of February, 1959.

  
C. D. BAKER, Mayor

ATTEST:

  
ROBERT F. BOOS, Acting City Clerk

Those voting in favor of the foregoing ordinance:

Commissioner Wendell Bunker

Commissioner Harris P. Sharp

Commissioner Reed Whipple

Mayor C. D. Baker

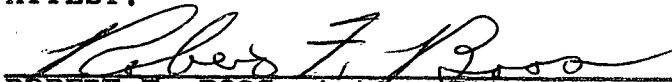
Those voting "Nay": None

Absent: Commissioner E. W. Fountain

APPROVED:

  
C. D. BAKER, Mayor

ATTEST:

  
ROBERT F. BOOS, Acting City Clerk